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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Note verbale dated 29 February 2008 from the Permanent Mission of the Comoros to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Union of the Comoros to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and has the honour to submit the report of the Union of Comoros on the measures provided for under Security Council resolution 1455 (2003) (see annex).

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Annex to the note verbale dated 29 February 2008 from the Permanent Mission of the Comoros to the United Nations addressed to the Chairman of the Committee

Report of the Union of the Comoros on implementation of the sanctions regime against Al-Qaida and the Taliban and associated individuals and entities established pursuant to Security Council resolution 1455 (2003)

I. Introduction

1. No activity by Al-Qaida, Osama bin Laden, the Taliban or associated individuals and entities has been reported in the Comoros to date. However, the Comoros sub-office of the Al-Haramain Foundation, which is presumed to have links with Al-Qaida, was banned from operating in the country in 2004.

II. Consolidated List

2. The sanctions regime against Al-Qaida, the Taliban and their associates and the Consolidated List are being incorporated into the country's administrative and legal texts. A bill which is in the process of being adopted has articles defining the criminal penalties applicable to the perpetrators and accomplices of terrorist acts in accordance with the universal instruments.

3. Problems of implementation have arisen with regard to the names and identifying information as currently included in the list, for technical reasons. Local response capacities are insufficient.

4. The Al-Haramain Foundation, included with the reference code QE.A116.04 on the Consolidated List of the Security Council Committee established pursuant to resolution 1267 (1999), was banned in 2004 in accordance with current Comorian legislation.

5. No names of individuals or entities associated with Osama bin Laden or members of the Taliban or Al-Qaida that have not been included on the list have been identified in the Comoros to date.

6. No legal proceedings have been instituted against the Comorian authorities.

7. Fazul Abdallah Mohamed (QI.M33.01) is of Comorian nationality. The Comoros is contributing actively to all aspects of his prosecution in cooperation with the authorities of the United States and other countries concerned.

8. Any act of association with criminal intent is an offence under domestic law (articles 236, 237 and 238 of the Criminal Code).

III. Financial and economic assets freeze

9. The Comorian Constitution recognizes the primacy of the decisions of the United Nations Security Council over domestic law. Moreover a bill is being drafted to incorporate universal instruments against terrorism into domestic law.

Ordinance No. 003/002/PR of 28 January 2003 on money-laundering, confiscation and international cooperation with respect to the proceeds of crime provides for the freezing of assets.

10. Structures and mechanisms are in place within the Government to address the need to identify the financial networks linked to Osama bin Laden, Al-Qaida and the Taliban and associated individuals and entities.

They are:

- The National Office for Documentation and Protection of the State (DNDPE);
- The National Office for Territorial Security (DNST), which includes representatives of the Department of Organized Crime and Terrorism, the National Central Bureau of the International Criminal Police Organization (INTERPOL) and the World Customs Organization (WCO);
- The Financial Intelligence Unit (FIU) of the Central Bank.

Cooperation with INTERPOL, the International Civil Aviation Organization (ICAO), the International Air Transport Association (IATA) and the International Technical Cooperation Service of the French Police (SCTIP) and bilateral and multilateral cooperation are also reliable prevention instruments.

11. The measures in place are:

- Ordinance No. 003/002/PR of 28 January 2003 on money-laundering, confiscation and international cooperation with respect to the proceeds of crime;
- Decree No. 03/025/PR of 12 February 2003, which established a Financial Intelligence Unit within the Central Bank.

In order to support these measures, a bill is being drafted that will incorporate universal instruments against terrorism into domestic law.

12. No such assets have been identified.

13. Not applicable.

14. The provisions mentioned under points 9 and 11 above also cover the monitoring of transfers of funds or assets to individuals and entities included in the Consolidated List.

IV. Travel ban

15. According to law No. 88-025/AF of 29 December 1988 establishing the conditions for entry and stay of foreigners in the Comoros, the Border Police have the power to refuse entry and to return to the border any foreigner who threatens public order and/or is the object of Security Council sanctions.

16. The Union of the Comoros is in the process of including all the names appearing on the Consolidated List in its written border control procedures. In addition, the checkpoint at the Prince Said Ibrahim international airport receives INTERPOL notices, including the INTERPOL-Security Council special notices.

17. Updating takes place at all entry points as soon as new information is received. However, of the four checkpoints, only the Prince Said Ibrahim international airport has the means to search the data. The Union of Comoros does not have electronic means of searching the data and even the means available at the Prince Said Ibrahim international airport do not allow efficient implementation of the travel ban.

18. No.

19. Measures are being taken to establish a database for the consular offices. Our visa-issuing authorities have not yet identified any requests from individuals whose names are on the list of the 1267 Committee.

V. Arms embargo

20. Comorian legislation prohibits all transactions involving firearms or explosives. The purchase and possession of hunting rifles requires application for a special renewable permit from the Ministry of Defence and National Security.

During the background check, the applicant's name is checked against the Consolidated List.

There is a special procedure for the acquisition, transport, storage and use of civilian explosives, which are strictly monitored by the Ministry of Defence and National Security.

This procedure includes checking against the Security Council's Consolidated List.

A national commission to monitor the movement of firearms works in close cooperation with the United Nations system.

21. A bill is being prepared that will incorporate universal instruments against terrorism into domestic law.

22. Apart from the information provided under point 20, the Union of the Comoros does not have any system for arms-brokering activities.

23. The Union of the Comoros has no production sites for weapons or ammunition.

VI. Assistance and conclusion

24. The Union of the Comoros is willing to provide assistance to other States, despite its very limited resources.

The Union of the Comoros played an active role in the initial enquiry into the attacks on the United States Embassies in Nairobi and Dar es Salaam and in the investigation in cooperation with the judicial authorities of the United States.

25. The Union of the Comoros is making efforts to implement the Security Council sanctions with very insufficient resources. Moreover, the country has to deal with the following factors:

– Its island status, which makes its borders vulnerable;

– The lack of maritime and air capabilities for border surveillance and monitoring;

– The lack of support in the areas of education, professional training and employment, which leads young Comorians to study in high-risk countries where they may come under the influence of an extremist ideology;

– The shortage of qualified staff;

– The lack of modern technological equipment.

For the Union of the Comoros to put in place the preventive measures recommended by the 1267 Committee as efficiently as possible and to suppress activities associated with the Al-Qaida network, Osama bin Laden or the Taliban, it would need to receive assistance in the following areas:

– The creation of a maritime surveillance and control unit;

– The provision of monitoring equipment at the borders;

– Training and strengthening of capacities (Police Unit, customs, financial agencies, etc.);

– Dissemination of information about measures relating to the Consolidated List of the 1267 Committee;

– Information and awareness-raising activities.

26. Additional information on the identity of Comorian national Fazul Abdallah Mohamed is provided on the fact sheet attached to this report.

Fact Sheet on Mohammed Abdullah Fazul

Previous information	*New information*
Name: **Mohammed**	Name: **Mohamed**
First name: **Fazul Abdullah**	First name: **Abdallah Fazul**
Sex: **male**	Alias:
Date of birth: **25 August 1972**	– Fazhi Khan
Place of birth: **Moroni, Union of the Comoros**	– Sadeek Odeh
	– Abou Moath
Nationality: **Comorian, Kenyan**	– Nouraredine
Languages spoken: **Arabic, English, Swahili**	– Nour-Eddine
	– Marwan
Alias:	– Hydar
– Abdalla Fazul	– Abu Marwan
– Aisha, Abu Alsudani	– Abu Hydar
– Abu Seif Ali	
– Fadel Abdallah Mohammed Fazul	
– Abdallah Fazul	
– Abdallah Mohammed	
– Haroon Fazul	
– Harun	
– Haroun	
– Haroun Fadhil	
– Harun Luqman	
– Abu Mohammed Fazul Abdillah	
– Mohammed Fouad	
– Muhammad Fadil Abdallah	